

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

IN RE: CYCLOBENZAPRINE
HYDROCHLORIDE EXTENDED-
RELEASE CAPSULE PATENT
LITIGATION

EURAND, INC., CEPHALON, INC. and
ANESTA AG,

Plaintiffs,

v.

MYLAN PHARMACEUTICALS INC.,
MYLAN INC., and BARR LABORATORIES, INC.,

Defendants.

C.A. No. 09-md-2118-SLR

JURY TRIAL DEMANDED

ADDENDUM TO EXHIBIT 1 TO JOINT PROPOSED PRETRIAL ORDER

On September 2, 2010, the parties to this litigation submitted a Joint Proposed Pretrial Order (D.I. # 200). Exhibit 1 to the Joint Proposed Pretrial Order included a “Statement of Admitted Facts Requiring No Proof.” The parties have engaged in further attempts to stipulate to undisputed facts and accordingly amend Exhibit 1 to include the following additional stipulated fact, in addition to the 58 paragraphs of stipulated facts set forth in Exhibit 1:

59. Gregory A. Winchell, *et al.*, *Cyclobenzaprine Pharmacokinetics, Including the Effects of Age, Gender, and Hepatic Insufficiency*, *The Journal of Clinical Pharmacology*, 42(1), 61-69 (Jan. 2002), was published and publicly available as of at least January 2, 2002.

STIPULATED AND AGREED:

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*Attorneys for Mylan Pharmaceuticals Inc.
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*Also filed on behalf of Defendant Barr
Laboratories, Inc.*

Dated: September 28, 2010

IT IS SO ORDERED THIS ____ day of September 2010.

HONORABLE SUE L. ROBINSON
UNITED STATES DISTRICT JUDGE